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OF

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WILLIAM TODD JONES, ESQ.

A PRISONER

IN THE COUNTY GAOL OF CORK,

UPON A

CHARGE OF HIGH-TREASON.

IN THREE LETTERS,

WRITTEN TO AND RECEIVED BY

The Rt. Hon. William Wickham,

SECRETARY TO THE LORD LIEUTENANT.

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TO

THE EARL OF MOIRA,

AND THE

HON. CHARLES JAMES FOX.

*My Lord and Sir,
I intreat your perusal of the following Detail of my Oppression: and, also, your Support in Aid of my Prayer of Relief, in form of Petition, to the Parliament of His Majesty's United Kingdoms. This Publication is essential in a justifiable Vindication of my Character.*

I have the Honour to be,

With very high Consideration,

My Lord, and Sir,

Your most Obedient Servant,

William Todd Jones..



CASE

OF

WILLIAM TODD JONES, ESQ.

Esq. Esq. Esq.

TO THE

RIGHT HON. WILLIAM WICKHAM,

CASTLE OF DUBLIN.

GAOL OF CORK,

OCTOBER 15, 1803.

SIR,

I HAVE the honour of receiving your enclosure of Mr. Saurin's Letter, a very regarded, and very early school Friend, and also a *Billet*, enclosed with it in the same cover, directed to, and franked by Mr. Wickham—"The Gaoler of Cork," saying, *Mr. Wickham desires that the enclosed may be delivered to Mr. Todd Jones.—October 11, 1803.—Castle.—*" In consequence of which, shattered as my health is by eleven weeks close imprisonment, at my time of life, and privation of my peculiarly laborious habits of exercise, I trouble, you, Sir, with this tedious Letter and detail.

Mr. Saurin's obliging communication thus regularly introduced, *proposes to me a Discharge* from the oppression

pression I have thus long sustained, upon *Composition*, viz.—*that I should secretly, and as if of my own accord, exile myself to England*:—which Terms were to be an INVIOABLE SECRET.

The proposal is a full acquittal of any imputed offence; but my hitherto unimpeached good name has been attempted to be stigmatized, [the Warrant of the Mayor of Cork for my Committal, of which I have a Copy, specifying my offence to be High Treason] and opportunity was thus afforded, and has been tenaciously embraced, for *the most lying and atrocious* Newspaper detractions regarding me, in both Kingdoms. My person has been assaulted in my bed at daybreak, in the respectable mansion of a venerable friend, Doctor Calanan, near Clonakilty, and I have been conveyed very strongly guarded by Troops, to an ignominious common Gaol: in reaching which, at the moderate distance of twenty-two miles, I have been wantonly exhibited, *like an already convicted Felon*, for two long summer days, the first and second of August, in *Orange Triumph*, to the gaze of a very crowded Bandon rabble; and thence paraded, with like ostentation, *through all the streets of Cork*, as if in progress to Execution.—My venerable friend and hospitable entertainer, Doctor Calanan, a Physician of the age of seventy, with his only son, *on my account*, have been dragged from the same mansion to Prison, after a similar triumphant exposure of two days, to gazing multitudes, in the short distance of twenty-two miles: a Man eminent for a long professional life, dedicated to the Poor,
and

and to the Peasants, whose tears kept pace with his progress. The Roman policy was certainly shallow, which hazarded a triumph upon the carcass of Cato.— Doctor Calanan, who is a Catholic, was arrested by Lieutenant Douglass, abetted by his two near neighbours, Orangemen, Thomas Hungerford, Esq. of “The Island,” and the Rev. William Stewart, Curate and Magistrate, *in his sick chamber, which he had never left for several weeks from a severe fit of gout*; and with his only son, was brutally torn away from his home, where there remained four young Ladies, his daughters, exposed, thus totally unprotected, to any eventual excesses of an Orange Faction, drunken with momentary power:—excesses too well yet remembered in Ireland, when there was no humane Hardwicke to temper, and to restrain them.

The Rev. Phillip Welsh, Roman Catholic Clergyman, of Barryroe, has been in like manner—*upon my account*—assaulted in his dwelling, like a criminal, carried away from his parishioners, and lodged in the County Gaol—a man of very considerable learning, of a manly mind, and of a conduct peculiarly unexceptionable.

My urgent entreaties for an Examination, a Dismissal, or a Trial, have been refused by General Myers from the period of my committal—and my name was, by his express orders, omitted upon the Gaol Kalendar, returned to the Judges at the last County Assizes, thereby intentionally precluding me from a Constitutional Trial at Bar. After

After a short lapse of time, the Mr. Calanans' and Mr. Welsh were discharged, without Examination, without Trial, while I was, and am forcibly detained.

The Messrs. Drinan's, two Gentlemen of great mercantile fortune and influence in Cork, prisoners with me, have upwards of three weeks since, been liberated without any Examination or Trial, while I was, and am forcibly detained: the equity of which needs no comment.

SIR—I am an Hereditary Protestant of the Established Church, and have sat for several years in His Majesty's Parliament of Ireland; but from my youth up, have dedicated my Literary and Parliamentary Labours towards an amelioration of the miserable condition of an IMMENSE MAJORITY of His Majesty's Irish Subjects, by a relaxation, or repeal of those MERCILESS Laws, denominated *The Penal Code*;—an almost total repeal of which, His Majesty has since bestowed; there, therefore, I could not have been erroneous—but PRIVATE INTERESTS—INDIVIDUAL, EXORBITANT CLAIMS—INVETERATE HABITS OF TYRANNY—AND THE NATURAL RELUCTANCE OF MAN, TO PART WITH LONG ASSUMED, HOWEVER, PERNICIOUS POWER—subsequently created a Faction which consolidated itself under the name of Orange, and to which faction this REPEAL, and the ADVOCATES for it, have been, and are peculiarly obnoxious.

THIS

THIS IS MY CRIME—and it has long marked me out a victim in Books, and in Newspapers, to the vengeance of this Faction, whenever public Calamity, as at present, should suspend the Constitution, and delegate temporary great powers to Magistrates, and to Corporations—and I speak it, Sir, to you without mingling SELF (at the present moment) and as a truth well deserving the serious consideration of any Irish Minister, that I am well persuaded, until that ORANGE CONSPIRACY against the *feelings*, the *ease*, the *quiet*, and the *honest industry* of the Body of the Catholics of this Island, and in an especial degree, of the County of Armagh, and the North, BE PUT DOWN, by the Authority of Statute, or of Royal Proclamation, there never will be security to the Government of the Country against local Insurrection—No later ago than last July, the Battle of the Boyne was fought over again, on the *Bandon River*; the Irish were again routed, and the slain, who had fallen One Hundred and Thirteen Years before, *were slain again*; to the *Edification* of the Protestant Youth, thereby inculcating mutual affection—and *to the great Encouragement to Loyalty* in the Catholic Rising Generation, for fear they should, perhaps, in time, have forgotten that their Ancestors lost their Lives and Lands on *that Day*—But to inculcate political Harmony and Union is neither the principle, nor the Practice of Orangemen: that dangerous Conspiracy, whose *Principles of action are concealed by a solemn engagement*, establishing thereby in Ireland an “*Imperium in Imperio*” ratified by A POLITICAL SECRET UPON

OATH; an inner Cabinet from that of the Sovereign's; which no Wise Government ought to countenance, or to *tolerate*.*

Once more, Sir, I solicit my freedom—I have been *a close Prisoner for eleven weeks in a County Gaol*, without even having been shown my Indictment, been told the names of my Accusers, or been made acquainted with my misdemeanor, such, Sir, are the aggravating circumstances of my arrest: and such the heads of my Petition to the Imperial Parliament which prays:

“ To be, forthwith, summoned to their Bar, to answer ALL QUESTIONS upon OATH touching my concern

* Almost while I was writing to the Secretary of the Lord Lieutenant, the following Paragraph appeared in *The Cork Advertiser*, upon the 25th of October:—

“ To-Morrow, being the Anniversary of *the Horrid Popish Insurrection and Massacre*, secretly contrived and extensively perpetrated in the Year 1641, will be observed as usual, by Demonstrations of Joy and Gratitude for the Signal Preservation of the Protestant Government of this Country, from the general Destruction intended upon that Occasion.”

A Paragraph which, whether contemplating the Loyalty, or the Numbers of the Catholics of the County of Cork; and under the circumstances of this awful period, appears dictated by a Fanaticism the most Inveterate, and a Persecuting Frenzy the most implacable. It is an impertinent, and an unprofitable recurrence to, and revival of, an *Historical Document* exceedingly controverted; but a Discussion, and Controversy, which no wise Englishman, or amiable Irishman, ought ever wish to be revived.

“cern in, or knowledge of the Rebellion of 1798,
 “and of the recent one at Dublin: and also touching
 “my concern with, or knowledge of the French Na-
 “tion, French Individuals, or Irish Individuals residing
 “in France; or with any Irishmen who were enga-
 “ged, or who are engaged in what is understood by the
 “Law, Practices of Treason—and praying that General
 “MYERS, the MAYOR and SHERIFFS of CORK, the
 “Reverend WILLIAM STEWART, and *all Others con-*
 “cerned in my detainer, may be summoned at same time
 “to their Bar.”

Now, Sir, standing on such *security of innocence*, in
 defiance of open violence, secret subornation of per-
 jury, and of the whole *Tribe of Informers*—a Tribe and
 Trade well known, and very profitable *in the County*
of Cork—can any Man imagine that I will foil my repu-
 tation, so early obtained, and so well worn, by a *Guilt-*
acknowledging flight: thereby not only criminating my-
 self, but my three friends, through whose indignities I
 have been so additionally wounded.

No, Sir, nor *by any composition* in the Court of Ho-
 nour—Honour is pellucid, and admits not of shades,
 or gradations—no man in the Empire can fully my
 character, except one, and that would be myself—I
 will not be that man—I cannot enter into bail, or an-
 nex my name to any Deed whatever, under the igno-
 minious circumstances of an arrest however unwarranted,
 which would be an implication of a suspicion well-
 founded in my SKULKING ENEMIES.—I cannot depart
 from

from my present bondage more shackled than when thrust into it; but I can return to my Cell, and endeavour, with the aid of some little constitutional fortitude, to sustain an ill-advised, a rash, and an invidious Captivity.

I have the Honour to be, &c. &c.

WILLIAM TODD JONES.

*Right Honourable William Wickham,
Castle of Dublin.*

TO THE

RIGHT HON. WILLIAM WICKHAM,
CASTLE OF DUBLIN.

COUNTY GAOL, NEAR CORK,

SIR,

OCTOBER 20, 1803.

I do myself the honour to acquaint you, that on Tuesday the 18th, I forwarded from hence a Letter to Major-General Campbell, Cork, by desire of my Counsel, and also a Duplicate of it to Mr. Murphy, Chief Gaoler, entreating to know from them, “Why I was prevented quitting the Prison and departing for my home?” To which I this morning received the following verbal reply, from General Campbell, by his Brigade-Major, Captain Royals—“General Campbell is not charged with Mr. Jones, but *found him here*, and, therefore, cannot release him without an Order from the Castle.” The conclusion from which, is, that on such vague unknown committal, I may be confined, if my life should linger out so long, *for twenty years!*—Gracious God, Sir, is it Turkey, or is it a portion of the British Empire in which I write, and in which I sustain twelve weeks imprisonment, *without one document of charge of any kind brought against me!!* In which my health is sported with from General to General, in a Garrison prison, at the instance of any *unsubstantiated* vulgar whisper, which may be dictated by *malignity* or *folly*; two qualities which seem to combat for the human mind, in the present predominant FACTION of the County of Cork.

Let

Let me, Sir, be put to the Test of a Trial, sound Government and sober Rule, which marks the Administration you act with, is not usually so coy, of bringing to Trial a Prisoner who deports himself as I do; or, as becoming the Earl of Hardwicke and Mr. Wickham. Let the return of Post bring an order for the gates to be opened, and for the candid and apologetic declaration to be made, that the Disorders of the Capital had compelled, at the instigation of prejudice and vulgarity here, either of the great world or the small, a violation for twelve weeks of the liberty of an honest Man, in my person. You will conclude that I am irritated, and with justice; I certainly should not be that honest Man if I were not. But I am equally desirous of appearing what I really am, Mr. Wickham's

Respectful and most Obedient Servant,

WILLIAM TODD JONES.

*Mr. Jones's Second Letter
to Mr. Wickham.*

TO THE

RIGHT HON. WILLIAM WICKHAM,
CASTLE OF DUBLIN.

GAOL NEAR CORK,

SIR,

OCTOBER 24, 1803.

I HAVE this day been honoured with your Reply to my Letter of the Fifteenth, by Major-General Campbell in person, acquainting me that you had been pleased to lay that Letter before the Lord Lieutenant, and that his Excellency *had been advised to continue my imprisonment*; and, also, that I should receive every *indulgence*, (for which I made no sort of application) that was consistent with my safe keeping: this letter was expressed and repeated to me in the most handsome, most soothing manner by General Campbell.

Your Letter, Sir, permit me to observe, evidently acknowledges the delegated authority of Mr. Saurin's proposal of Exile, a sort of Grecian Ostracism, which I was yet to learn was a portion of the English Code;—as it equally renders valid the conclusion I drew from it in my first Letter, that “*The proposal is a full acquittal of any imputation of crime to me.*”—It also implies, that, notwithstanding that acquittal, *a latent, undefined suspicion* is harboured against me, which will not bear the probe of enquiry: and that a SECRET POWER long malignant to me, and not daring to confront me honestly before the Country, though seen but dimly, stands revealed in its operation—“That Power I pronounce to be the *Orange Faction of the County and City of Cork.*”

The

The *Cobweb kindness* of "Indulgence," can have no operation HERE: this Prison has admitted TO ME no Indulgence beyond light, fire, and the reflections of solitude: the Secret Power which rules Cork, took ample care that it should not:—the only *Friend* who did ask for a Pass to visit me, was refused it, except in the presence of the Sheriffs; and the communication of this mockery of "Indulgence" was made to me by Mr. Sheriff Dunscombe himself: I, who the Sheriffs, well knew was arrested, and imprisoned, without an Indictment, an Examination lodged, or any authenticated charge being against me:—I, whom they themselves (with peculiar politeness, and civility, *for I owe much of acknowledgment personally*, to Mr. Dunscombe, and to Mr. Cole) had removed from the City Gaol, the first Prison I was lodged in, to this distant one out of Town, totally unguarded but by themselves.

Another branch of this almost only family [Doctor Calanan] with whom I am honoured by a particular friendship, Mr. Goold, hazarding a visit of *but a few minutes* to me, upon hearing that I had been ill, under the very harmless, but, perhaps, injudicious request of seeing another Gentleman, (for he justly concluded that to name me, was DENIAL) was immediately upon his return home, harassed by an arrest at his aged father's door, twenty-two miles distant, was brought back under an ostentatious escort of Horse to Bandon, and confined there one night, and thence, next day, to Cork.—This young Gentleman was thrust into the common Main-guard-Room, and confined there the whole

whole of a second night.—He was next day committed *close prisoner to a solitary Cell* in the remote extreme of this Gaol which I occupy, *with a peremptory order not to exchange words with any man confined here* ;—and this order was substantially enforced by the unceasing attendance of a Centinel with a naked bayonet :—thus escorted, I met him in the Prison-Court, he did not dare to address himself to me, nor did I hazard his assassination.

This unparalleled Tyranny, this audacious infringement of the Liberty of the Subject, this conspicuous abuse of Military Power, and of the Suspension of the Habeas Corpus, extended to the length of SIXTEEN DAYS, and then, forsooth, the young Gentleman, unexamined, unimpeached, of any thing but the crime of being a *Catholic*, and of being attached to me, was, as a mighty boon, liberated, and bestowed upon his Father.—No doubt this *mild* procedure, together with my three months imprisonment, are intended as illustrations how effectually THE CONSTITUTION CAN SECURE THE LIBERTY OF THE SUBJECT, at this particular period of the Empire, when its validity in that respect had been sometimes audaciously questioned :—and no doubt will have an admirable effect in inducing plain, innocent People at large, to double their diligence against its enemies, and to rally around its Standard. Therefore, Sir, regarding ME, and “Indulgence,” he must be a resolute man, and endowed with no ordinary defiance of peril, who, after such an infliction of punishment for an offence so venial, would hazard to

c

demand

demand a pass to visit me, in any other character than as a Tradefinan or a Bailiff. Permit me also to add, that the man, or men accessory to these sixteen days solitary confinement of my friend Mr. Goold, ought to be broken by the Lord Lieutenant, and declared incapable of serving the State. I have a prophetic faith that we shall hear no more of *Acts of Indemnity* to screen Oppressions: that Power is now, thanks be to GOD, in OTHER HANDS than with a former NEST OF HORNETS.

A Prisoner, Sir, conscious of the slightest attachment of guilt to his conduct, is not usually in the habit of feeling himself so keenly injured, and of using language so dictatorial: but I KNOW the Constitution, its protection, and the boundary of my powers of remonstrance, and expostulation.—My Spirit is right English, unbroken by *Pitched Cap*, *Strangling*, or the *Whip*—I know *my personal Rights*, under the Constitution, and I demand them—unless that Constitution, like Sir John Cutler's Hose, be so pieced, and darned, as to pass for the same, without containing one thread of the original stocking.

I am well aware, Sir, of my situation: I am aware that my *Orange arrest*, equally ill-adviced, and malignant, has embarrassed its Authors, and that to get handsomely rid of me is some *difficulty*; to have induced me, therefore, even tacitly to countenance *an implied misdemeanor in my conduct*; would have to a certain degree obviated that difficulty—but not being that man, surely the indecency must every hour increase

crease of having declared me innocent, (for who would send a Traitor unbridled into England) yet continuing my bondage : and though Orangemen have no reputation to lose, Mr. Wickham's Administration has a very great deal.

Permit me, Sir, again, to reiterate my entreaty for an Examination, or a Discharge.—I am not compounded, Sir, of such flimsy materials of mind, at being deprived of the Consolations of Friendship, or of being locked up from *all* Human Society from eight to eight, can operate upon my fortitude, so as to induce a change in my determination, however it may already have impaired my Constitution, for my sleep is gone, from want of habitual exercise, and my digestion nearly suspended.—It is not “Indulgence,” Sir, which I meditate upon, it is MY CHARACTER, now for Three Months exposed to unrefuted obloquy—It is my *Liberty*, Sir, which I pray for, a *Trial, Liberation, or Death!*

I have the Honour to be, Sir,

&c. &c. &c.

WILLIAM TODD JONES.

Postscript.

Postscript to this Publication.

THERE is a passage in the Writings of Swift, which in a peculiar degree glances at the Secret Agents of my prolonged Imprisonment.—

“ These People had a notion that they were concerned in point of honour to condemn whatever Person they impeached, however *frivolous the articles* which were exhibited against him, or however *weak the surmises* whereon they were to proceed in their proofs—for to conceive that they could be mistaken was an indignity not to be imagined, ’till the consequences had convinced them when it was too late.”*

I now consign these Sheets to the Public Eye in the gloom of the middle of November ;—a protracted Statement, and Publication, which is at length become essential to my Character, and to my Life.—I sustain a Fourteen Weeks close and pernicious imprisonment, in a damp and unfinished Gaol, in the most humid season of the year, in this humid Climate ; my station unregarded, and my time of life forgotten ;—UPON A SUSPICION UNDEFINED, AND AN ACCUSER INVISIBLE.—Committed without any Document, or Examinations Sworn ; Unindited of any misdemeanor, and now declared Innocent by Mr. Wickham himself ; yet compelled to resort to Parliament for that Release and Compensation which is owed to me by THE LAW.

WILLIAM TODD JONES.

THE PRISON NEAR CORK,
NOVEMBER, 1803.

* Diffentions of ATHENS and ROME.



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